

22 August 1967

The Honorable Richard B. Russell
Chairman, Committee on Armed Services
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

The purpose of this letter is to request your assistance in connection with S. 1035, a bill which has been ordered reported by the Committee on the Judiciary. The purpose of the bill is "To protect the civilian employees of the executive branch of the United States Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy." If enacted in its present form, S. 1035 would have the effect of making more difficult our efforts to prevent infiltration of this Agency by Communist-oriented individuals and applicants of unsuitable character.

Senator Ervin introduced a similar bill late in the 89th Congress. At that time the bill applied to all employees of the Government. Three agencies, the Federal Bureau of Investigation, the National Security Agency and the Central Intelligence Agency, in personal interviews with Senator Ervin, advanced reasons why each of those agencies should be granted full exemption from the bill.

S. 1035, as introduced this year, contained a complete exemption for the FBI only. As reported, it contains a partial exemption for CIA and NSA. This partial exemption does not eliminate many of the provisions of the bill which are objectionable to this Agency. If enacted, I believe S. 1035 would erode the statutory authorities granted this Agency and its Director by the Congress in recognition of the special needs of this organization.

I would appreciate an early opportunity to discuss with you our specific objections to this bill.

Respectfully,

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/s/ Richard Helms

Richard Helms
Director

1 - OLC OLC:JSW:mks (22 Aug 67)

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Subject S. 1035

Russell File
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August 15, 1967

AMENDMENT

Provided, however, That nothing contained in this Act shall be construed to prohibit an officer of the Central Intelligence Agency or of the National Security Agency from requesting any civilian employee or applicant to take a polygraph test, or to take a psychological test, or to provide a personal financial statement designed to elicit such information if the Director of the CIA or Director of NSA makes a personal finding with regard to each individual to be so tested or examined that such test or information is required to protect the national security.

August 15, 1967

AMENDMENT

Page 11, line 21, insert after the word "violation." the following: "The Attorney General shall defend all officers or persons sued under this section who acted pursuant to an order, regulation, or directive, or who, in his opinion, did not willfully violate the provisions of this Act."